



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Sixth day of August Two Thousand Nineteen

WEB COPY

PRESENT

The Hon'ble Mr.Justice D.KRISHNAKUMAR

WP (MD) No.12395 of 2019
and
WMP (MD) No.9248 of 2019

1 B.BOOMINATHAN
2 S.BALAMURUGAN
3 V.MAHENDRAN
4 T.SATHISH KUMAR
5 N.RAMESH BABU
6 I.T.JEGADEESAN
7 SIVA RAMAIAH
8 R.ANANTHAN
9 N.KATHIRESAN
10 N.THIRUGNANAM
11 S.MANIKANDAN
12 M.BASKARAN,
13 V.BALAMURUGAN,
14 R.SELVAMANI,
15 ASP SEENI MOHAIDEEN
16 C.SANKARANARAYANAN
17 M.PATTAMUTHU @ RAMESH
18 S.PARAMARTHALINGAM
19 L.MAHARAJAN
20 S.SARAVANAN
21 S.VENKATARAMAN
22 L.RENGARAJAN
23 C.KALA
24 A.ANANTHARANI
25 R.KRISHNAMURTHY
26 R.SUMATHI
27 M.AKBAR ALI
28 S.GOPIDOSS
29 R.SHANTHI
30 P.S.HAJA MOHAIDEEN

... PETITIONERS

Vs

1 THE GOVERNMENT OF TAMILNADU
REP.BY ITS SECRETARY,
BACKWARD CLASSES AND MOST BACKWARD CLASSES
WELFARE (BCC) DEPARTMENT,
SECRETARIAT, CHENNAI-600009



2 THE PRINCIPAL SECRETARY TO GOVERNMENT,
COMMERCIAL TAXES & REGISTRATION (K) DEPARTMENT,
SECRETARIAT, CHENNAI-600009

3 INSPECTOR GENERAL OF REGISTRATION,
SANTHOME HIGH ROAD, CHENNAI-600028

4. A.KARUPPASAMY
5. R.RAJESHKANNAN
6. L.UKKIRAPANDI
7. T.UMADEVI
8. M.JEYAM
9. M.SHANTHI
10. R.PAUL PANDI
11. S.SURESH KUMAR
12. G.RAMACHANDRAN
13. G.AMUDHA
14. M.MUTHUMURUGAN

(R4 TO R14 ARE IMPEADED VIDE ORDER DATED
06/08/2019 MADE IN WMP(MD).NO.10237/19 BY DKKJ)

15. THE REGISTRATION DEPARTMENT SC/ST AND MBC,
EMPLOYEES GENERAL WELFARE SANGAM,
REP BY ITS GENERAL SECRETARY,
NO.18, LUZ CHURCH ROAD, PATTINAPAKKAM.

(R15 IMPEADED VIDE ORDER DATED 06/08/2019
MADE IN WMP(MD).NO.11101/19 BY DKKJ) ... RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a Writ of Certiorarified Mandamus call for the records made in the impugned letter (Ms) NO.17 dated 30/01/2019 passed by the 2nd respondent quash the same in so far as paragraphs 6 and 7 of the impugned letter is concerned and further direct the respondents to implement the order of the Honourable Supreme Court dated 11/09/2018
(*) Prospectively.

(*) Prayer amended vide order dated 06.08.2019, made in WMP(MD) No.9923/19 IN WP(MD)No.12395/19 BY DKKJ.

Prayer in WMP(MD)No. 9248/ 2019 :

To stay the operation of the impugned letter (Ms) NO.17 dated 30/01/2019 passed by the 2nd respondent in so far as paragraphs 6 and 7 of the impugned letter is concerned pending disposal of the above WP.



ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.VELLAICHAMY, Advocate for the petitioners and of Mr.M.Murugan, Government Advocate for R1 to R3, the court made the following order:-

It is brought to the notice of this Court the similar issue was already considered by this Court in WMP(MD).Nos. 13460 to 13462 of 2019 in WP(MD).No.11557 of 2019, on 30.07.2019 and the interim order already granted by this Court was modified in WMP(MD).No.8817 of 2019 in WP(MD).No.11557 of 2019, on 08.05.2019, wherein at paragraph Nos.7 and 8 it has been held as follows:

7. Both the learned counsel appearing for the parties represented before this Court that the connected Writ Petitions in WP.No.14853 and 14869 of 2019 are pending before this Principal Bench of this Court and the same are likely to be taken up for hearing on 06.08.2019. Therefore, it is for the parties concerned to move the Registry, for clubbing all the matters together and taken up for final disposal.

8. In view of the above said fact, the interim order already granted by this Court, dated 08.05.2019 in WMP(MD).No.8817 of 2019 in WP(MD).No.11557 of 2019 is modified to the effect that if any reversional Promotion Panel is prepared by the respondents 2 to 4, shall be subject to the outcome of the Writ Petition. Till such time, the first respondent / Writ Petitioner shall not be reverted to the lower post.

2. The learned counsel appearing for the petitioner further submitted that the facts of the present case also similar in nature and therefore, similar interim order also to be passed in the present case on hand also.

3. In the light of the above, there shall be an order of interim direction to the respondents that if any revisional promotion panel is prepared by them, shall be subject to the outcome of the Writ Petition. Till such time, the Writ Petitioners shall not be reverted to the lower post.

4. Registry is directed to post the matter along with WP (MD).No. 11557 of 2019.

sd/-

06/08/2019

/ TRUE COPY /



Madurai - 625 023.

TO

- 1 THE SECRETARY, THE GOVERNMENT OF TAMILNADU
BACKWARD CLASSES AND MOST BACKWARD CLASSES
WELFARE (BCC) DEPARTMENT,
SECRETARIAT, CHENNAI-600009
- 2 THE PRINCIPAL SECRETARY TO GOVERNMENT,
COMMERCIAL TAXES & REGISTRATION (K) DEPARTMENT,
SECRETARIAT, CHENNAI-600009
- 3 THE INSPECTOR GENERAL OF REGISTRATION,
SANTHOME HIGH ROAD, CHENNAI-600028

- +1. C.C. to MR.T.SAKTHIKUMARAN, Advocate SR.No.12960
- +2. C.C. to M/S.M.V.VENKATASESHAN Advocate SR.No.12963
- +1. C.C. to MR.AN.RAMANATHAN, Advocate SR.No.13019

ORDER
IN
WP (MD) No.12395 of 2019 and
WMP (MD) No.9248 of 2019
Date :06/08/2019

TRP
ES/PN/SAR4/28.08.2019/4P/8C